

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9271 of 2017

Madhya Bihar Gramin Bank, through its Senior Manager, HO. Madhya Bihar Gramin Bank, Head Office, situated at Shri Visnu Commercial Complex, Ashochak, New Bypass Road, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna
2. The Principal Secretary (Home) Bihar, Old Secretariat, Patna.
3. The DGP, Bihar Police Headquarter, Old Secretariat, Patna.
4. The District Magistrate, Patna at Patna.
5. The Sr. Superintendent of Police, Patna at Patna.
6. The City S.P. Patna at Patna.
7. The SHO, Ramkrishna Nagar, Distt. Patna.
8. Madhya Bihar Gramin Officers Association, Patna, affiliated by AIRRBEA and BEFI, through its General Secretary, Anjani Kumar Mishra, Patna
9. Madhya Bihar Gramin Officer's Federation, New Colony Arrah.
10. Madhya Bihar Gramin Officers Organization through its general Secretary Ashok Kumar Mishra Gautam Nagar, New Police Line Arrah, 802301
11. Madhya Bihar Gramin Employees Association, Patna Bihar, Mal Godam Chay Road Nawada 805110.
12. Bihar Provincial Gramin Bank Employees Association, 2nd Floor SABOO COMPLEX, P.O. Hotel republic, Exhibition Road, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Suresh Pd Singh No.1
For the Respondent/s : Mr.Manish Kumar, GP-4

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 21-12-2019 Heard learned counsel for the parties.

The present writ application has been filed by Madhya Bihar Gramin Bank through its Senior Manager with the following relief as prayed for in paragraph no.1 of the writ application, which reads as follows:-

“i.. For Issuance of a writ in the nature of



mandamus commanding the respondents particularly the private respondents not to disturb the functioning of the official business of the Petitioner bank and not to make any type of Dharna/agitation etc. nearby the head office of the petitioner bank, which is situated in a tenanted premise of a big commercial complex, in which there are offices of several other business houses and hotel are situated and any type of such agitation creates nuisance in the whole premise for which the land lord has threatened to evict the petitioner bank, which may cause a great inconvenience to the petitioner as costly machines are installed for running IT cell apart from costly fittings and fixtures, apart from that the said premise is situated besides NH (New Bypass Road, Patna), which is already suffering from massive road Jaam every day, and any crowd gathered there in the name of such agitations may cause accident any time, hence to avoid any such incident, the private respondents may be restrained from organizing any type of agitation there, by directing them to make such Dharna at the fixed destination by the State of Bihar (at Gardanibagh, Patna or to pass similar order as passed in CWJC No. 16248/2011 wherein any type of agitation/Dharma is prohibited within 100 meters from the Head Zonal office of the PNB, Patna i.e. the sponsor bank of the petitioner MADHYA BIHAR GRAMIN BANK.

ii. Further to restrain the private respondents from making any disturbance in egress and ingress of the officials/staffs of the petitioner bank and further to ensure uninterrupted functioning of the Official business of its Head office the petitioner bank, and its



branches situated within territorial jurisdiction of this Hon'ble court.

iii. For prohibiting the respondents no.8 to 12 not to make any "Dharna"/Mass demonstration under the premise of the Head office, MADHYA BIHAR GRAMIN BANK, Patna or in front its head office, as it affects adversely the and disturb the smooth functioning of the official business of the Petitioner's Bank.

iv. For directing the respondents no. 8 to 12 to ensure that if any "Dharna"/demonstration, be called out by them that shall not be made within a radius of 100 meters from the premise of the Head office, MADHYA BIHAR GRAMIN BANK, Patna, in light of the several judgments passed by the Hon'ble court when such situation emerged on earlier occasions.

iv. For granting any relief/reliefs for which the Petitioner's bank be found entitled in the eye of law."

It is pointed out by learned counsel for the petitioner that a Division Bench of this Court in C.W.J.C. No. 8541 of 2006 : Central Bank of India Vs. The State of Bihar & others has directed that the demonstration Dharna shall not be made within a radius of 100 meters from the branch and office of the bank and not to cause obstruction in the business of the bank, its functioning and to its customers from coming and going for and the business of the bank.

In view of the decision of the Division Bench (supra),



which shall have the finding effect over that of the learned single Judge, it is expected from the respondent authorities to take appropriate decision within a period of eight weeks from the date of filing adequate representation by the petitioner, in consultation with the concerned District Magistrate and the Senior Superintendent of Police in order to implement the ratio laid down by the Division Bench.

Accordingly, the writ application is disposed of with the aforesaid liberty to the petitioner.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

